

# MEMORANDUM

March 28, 2005

TO: THE LOS ANGELES COUNTY CLAIMS BOARD

FROM: MARC J. WODIN  
Law Office of Marc J. Wodin

ROGER H. GRANBO  
Principal Deputy County Counsel  
General Litigation Division

RE: Ruphos Jenkins v. County of Los Angeles  
Torrance Superior Court Case No. YC 048204

DATE OF  
INCIDENT: June 28, 2003

AUTHORITY  
REQUESTED: \$57,500

COUNTY  
DEPARTMENT: Fire Department


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## CLAIMS BOARD ACTION:

☒ Approve

☐ Disapprove

☐ Recommend to Board of  
Supervisors for Approval

  
\_\_\_\_\_, Chief Administrative Office  
**ROCKY A. ARMFIELD**

  
\_\_\_\_\_, County Counsel  
**JOHN F. KRATTLI**

  
\_\_\_\_\_, Auditor-Controller  
**MARIA M. OMS**

on April 18, 2005

## SUMMARY

This is a recommendation to settle for \$57,500, a lawsuit filed by Ruphos Jenkins for injuries he sustained in an automobile accident involving an employee of the Los Angeles County Fire Department.

## LEGAL PRINCIPLES

The County is responsible for the negligent and intentional acts of its employees when the acts are done in the course and scope of employment.

## SUMMARY OF FACTS

On June 28, 2003, Ruphos Jenkins was stopped at a red light in the number three lane on Rosecrans Avenue at the intersection with Budlong Avenue in the City of Gardena. When the light turned green, Mr. Jenkins began to drive through the intersection when a Fire Department vehicle in the number two lane veered into Mr. Jenkins lane of traffic and collided with the driver's side of his car. The driver of the Fire Department vehicle did not see Mr. Jenkins' car in the number three lane.

As a result of the collision, Mr. Jenkins sustained a left knee injury that required surgery.

## DAMAGES

Should this matter proceed to trial, we estimate the potential damages could be as follows:

Medical expenses	\$ 20,000
Loss of earnings	\$ 7,500
Pain and suffering	<u>\$ 100,000</u>
Total	<u>\$ 127,500</u>

The proposed settlement calls for the County to pay Ruphos Jenkins \$57,500 for all of his damages, costs, and attorney fees.

## STATUS OF CASE

The trial court proceeding has been suspended pending consideration of the proposed settlement.

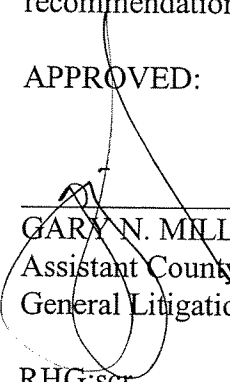
Expenses incurred by the County in defense of this action are attorney fees of \$10,227 and \$5,847 in costs.

### EVALUATION

This is a case of probable liability. The Fire Department vehicle veered into Mr. Jenkins' lane and caused the collision. A reasonable settlement at this time will avoid further litigation costs and a potential jury verdict that could exceed the proposed settlement.

We join with our private counsel, Marc J. Wodin, and our third party administrator, Carl Warren and Company, in recommending a settlement in the total amount of \$57,500. The Fire Department concurs in the recommendation.

APPROVED:



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GARY N. MILLER  
Assistant County Counsel  
General Litigation Division

RHG:scr